

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOHN A. WHEATLEY and WALTER J.
SCHRENK

Serial No.: 09/911,532

Filed: 7/24/01

For: POLYMERIC INTERFERENCE FILM (AS AMENDED)

Patent
Docket No: 54358US067

Group Art Unit

2872

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Examiner: Shafer, Ricky

APR

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3/19/02

Signature

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TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

(US Patent No. 5,486,949)

Hon. Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, Minnesota, represents that it is the exclusive owner of the entire interest in the above-identified Application (referred to as the "Subject Application") by virtue of an assignment recorded at Reel 012049, Frame 0159, on July 24, 2001. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent No. 5,486,949 (referred to as the "Prior Patent"), by virtue of an assignment from the inventors to The Dow Chemical Company recorded at Reel 7532, Frame 398, on July 6, 1995, and by virtue of an assignment from The Dow Chemical Company to Minnesota Mining and Manufacturing Company recorded at Reel 9596, Frame 391, on November 20, 1998, and by virtue of an assignment from Minnesota Mining and Manufacturing Company to 3M Innovative Properties Company (a true copy of which is attached hereto).

Petitioner disclaims the terminal part of any patent granted on the Subject Application (referred to as a "Subject Patent") which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the Prior Patent. Petitioner hereby agrees that the Subject Patent shall be enforceable only for and during such period that the legal title to such patent and the Prior Patent are commonly owned. This agreement is to run with the Subject Patent and to be binding upon the grantee, its successors, and assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of the Subject Patent prior to the expiration date of the full statutory term of the Prior Patent, even if the Prior Patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term.

Documents establishing the chain of title of the Subject Application (including the aforementioned assignment and a recording location) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Please charge the fee provided in 37 C.F.R. 1.20(d) to Deposit Account No. 13-3723.

Respectfully submitted,

Registration Number 35,207	Telephone Number 651-736-3369	Signature <i>Stephen C. Jensen</i>
Date Mar. 19, 2002		Print Name Stephen C. Jensen
		TERMINAL DISCLAIMER APPROVED APR 6 2002

3M Innovative Properties Company
Office of Intellectual Property Counsel
P.O. Box 33427
St. Paul, Minnesota 55133-3427

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER
Deborah Perry-Leeper
Deborah Perry-Leeper
Paralegal Specialist
Technology Center 2800

**ATTACHMENT: Assignment from
Minnesota Mining and Manufacturing Company
To
3M Innovative Properties Company**



Docket No.: 54358US022

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

To: The Honorable Commissioner of Patents and Trademarks
Please record the attached original document(s) or copy thereof.

<p>1. Name of conveying party(ies) (Execution Date) Minnesota Mining and Manufacturing Company, a Corporation of the State of Delaware 19-Mar-2002</p> <p>Additional names of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> If this is a request for correction of a previously recorded document, a copy of the previously recorded assignment and previous Notice of Recordation is enclosed.</p>		<p>2. Name and address of receiving party(ies): 3M Innovative Properties Company P.O. Box 33427 St. Paul, Minnesota 55133-3427</p> <p>Additional names of receiving party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>4. Application number or patent number: <input type="checkbox"/> This document is being filed with a new patent application on _____ <input checked="" type="checkbox"/> This document is to be recorded against the following patent application or patents: 5486949 <input type="checkbox"/> Patent Cooperation Treaty (PCT): Enter PCT application number <u>only if a U.S. Application Number has not been assigned:</u> _____</p> <p>Additional Numbers Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: Stephen C. Jensen Office of Intellectual Property Counsel 3M Innovative Properties Company P.O. Box 33427 St. Paul, Minnesota 55133-3427 Phone Number: 651-736-3369</p>		<p>6. Total number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41) <u>\$40</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit Account Number: <u>13-3723</u></p>	

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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Stephen C. Jensen

Printed Name of Attorney/Agent
 Registration No. 35,207

Stephen C. Jensen

Signature

Mar 19, 2002

Date

Pages: Total number of pages including COVER SHEET, attachments and documents:

2

Mail documents to be recorded with required cover sheet information to:
 Commissioner for Patents, Box Assignments, Washington, DC 20231

ASSIGNMENT

ASSIGNOR: MINNESOTA MINING AND MANUFACTURING COMPANY
 of: PO Box 33427
 St. Paul, Minnesota 55133-3427
 United States of America

a corporation organized and existing under the laws of the State of Delaware, United States of America does hereby claim and declare that it is the owner of all right, title and interest in and to the following Patent Application(s) or letters Patents(s) and other rights and powers obtainable or exercisable in respect thereof as numbered in United States Patent(s) and /or Patent Application(s):

<u>Patent Application or Patent Number</u>	<u>Filing Date or Issue Date</u>
5486949	23-Jan-1996

Minnesota Mining and Manufacturing Company does hereby, for good and valuable consideration, effective as of April 1, 1999 received, sell, assign and transfer unto:

ASSIGNEE: 3M INNOVATIVE PROPERTIES COMPANY
 of: PO Box 33427
 St. Paul, Minnesota 55133-3427
 United States of America

a corporation organized and existing under the laws of the State of Delaware, United States of America, its entire right, title and interest in and to the said Patent Application(s) or Letters Patent(s) including any division, continuation (in whole or in part) reissue or reexamination thereof, and in and to any countries foreign thereto, and consent to the recordal of this Assignment.

ASSIGNOR

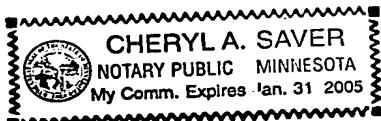
Subscribed and Sworn:
 At St. Paul, Minnesota 55133-3427
 this 19th day of March, 2002.

MINNESOTA MINING AND
 MANUFACTURING COMPANY

By: Carolyn A. Bates
 Name: Carolyn A. Bates
 Its: Assistant Chief Intellectual
 Property Counsel

Subscribed and sworn to before me this
19th day of March, 2002.

Chery A. Saver
 Notary Public



ASSIGNEE

Accepted:
 At St. Paul, Minnesota 55133-3427
 this 19th day of March, 2002.

3M INNOVATIVE PROPERTIES COMPANY

By: Gary L. Griswold
 Name: Gary L. Griswold
 Its: President and Chief Intellectual Property Counsel

Subscribed and sworn to before me this
19th day of March, 2002.

Jean S. Kistler
 Notary Public

